

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

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October 11, 2019

David Habenstreit
National Labor Relations Board
Division of Legal Counsel
1015 HALF ST SE FL 4
WASHINGTON, DC 20570

Appeal Number: 19-12043-K
Case Style: National Labor Relations Board v. TR & SNF, Inc., et al
Agency Docket Number: 12-CA-170290

This Court requires all counsel to file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause.

The enclosed order has been ENTERED.

Sincerely,

DAVID J. SMITH, Clerk of Court

Reply to: Lee Aaron, K
Phone #: 404-335-6172

MOT-2 Notice of Court Action

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 19-12043-K

NATIONAL LABOR RELATIONS BOARD,

Petitioner,

versus

TR & SNF, INC., d.b.a.
The Nursing Center at University Village,
TALF, INC., d.b.a. The Inn at University Village,

Respondents.

Applications for Enforcement of an Order of the
National Labor Relations Board

Before: WILLIAM PRYOR, MARTIN, and NEWSOM, Circuit Judges.

BY THE COURT:

Before the Court is Petitioner's "Unopposed Motion to Correct Judgment," filed on September 27, 2019, seeking to correct a typographical error included in the order submitted by Petitioner, which was enforced by the Court on July 25, 2019. The Court construes the motion as including a request to recall the mandate.

The motion is GRANTED, and the corrected judgment and order state as follows:

THIS CAUSE was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Respondent, TR & SNF, Inc. d/b/a The Nursing Center at University Village and TALF, Inc. d/b/a The Inn at University Village, a single employer, its

officers, agents, successors, and assigns, enforcing its order dated November 29, 2018, in Case No. 12-CA-170290, reported at 367 NLRB No. 43, and the Court having considered the same,

IT IS HEREBY ORDERED AND ADJUDGED by the Court that the Respondent, TR & SNF, Inc. d/b/a The Nursing Center at University Village and TALF, Inc. d/b/a The Inn at University Village, a single employer, its officers, agents, successors, and assigns, shall abide by said order. (See Attached Order.)

This order is issued as and for the mandate.

The Clerk is directed to close the file on this application.

NATIONAL LABOR RELATIONS BOARD

v.

TR & SNF, INC. D/B/A THE NURSING CENTER AT UNIVERSITY VILLAGE
AND TALF, INC. D/B/A THE INN AT UNIVERSITY VILLAGE

ORDER

TR & SNF, Inc. d/b/a The Nursing Center at University Village and TALF, Inc. d/b/a The Inn at University Village, Tampa, Florida, a single employer, its officers, agents, successors, and assigns shall take the following affirmative action necessary to effectuate the policies of the Act.

1. Upon request of the Union, rescind the health insurance benefits changes that were implemented with respect to unit employees on October 1, 2015, and restore the health insurance benefits that existed immediately preceding the implementation of those changes.
2. Make whole the employees named in the Appendix to the settlement agreement for any loss of earnings and other benefits suffered as a result of the changes to their health insurance benefits on October 1, 2015, by payment to each of them of the backpay and interest amounts shown in the Appendix, with additional interest accrued to the date of payment. The total amount due under the settlement agreement, before additional interest is calculated, is \$53,325.06.
3. Bargain in good faith with the Union as the exclusive collective-bargaining representative of the employees in the following appropriate unit, concerning wages, hours of work, and other terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement.

All non-supervisory associates employed at The Nursing Center at University Village (recognizing that licensed nurses are required by Florida statute to have certain supervisory responsibilities and training) and The Inn at University Village, excluding guards, supervisors, and confidential associates and associates working less than fifteen (15) hours per pay period.

4. Within 21 days after service by the Region, file with the Regional Director for Region 12 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.